



31st Annual Gas Pipeline Safety Seminar

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Federal and State Rule Updates

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Significant Drivers of our Regulatory Program

- ☐ Pipeline Safety Act of 2011 - (Sections 4 (Valves), 8 (Leak Detection), and 23 (MAOP))
- ☐ PIPES ACT of 2016 - Signed into law on June 22, 2016
 - ☐ Emergency Orders
 - ☐ Underground Storage
 - ☐ MSDS's for HL incidents
 - ☐ LNG -small scale
 - ☐ Changes in HL HCA definition
 - ☐ 12 month assessments of certain HL lines
 - ☐ Reporting requirement for unfinished mandates
- ☐ NTSB/GAO/OIG
- ☐ Executive Orders on Regulatory Reform
- ☐ PHMSA

Executive Order 13771


2 for 1 initiative – Significant rules only

Regulatory budget

Executive Order 13777

Establishes Regulatory Reform Officers and Regulatory Reform Task Forces

To identify regulations that are outdated, unnecessary, or ineffective and that impose costs that exceed benefits, etc

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- SME Teams established to review
 - ☐Existing regulations
 - ☐Petitions for rulemaking
 - ☐Active rulemakings
 - ☐Special Permits
 - ☐Stakeholder input – public comments
 - Executive Leadership Approval
 - Economic Analysis Developed
 - Rulemaking Initiated, if appropriate

Current Rulemakings in Process

Plastic Pipe

(Final Rule)

- ❑ Final Rule Published on 11/20/2018
- ❑ Address the following plastic pipe topics:
 - Authorized use of PA12
 - Raise Design Factor from 0.32 to 0.40 for PE pipe
 - Miscellaneous revisions for PE and PA11 pipelines
 - Category 1 joints on all regulated plastic gas pipelines (not retroactive)
 - Addresses “trenchless technology” and joining of plastic pipe

Sample of Plastic Pipe Rule Changes

§192.9 What requirements apply to gathering lines?

(d) Type B lines. An operator of a Type B regulated onshore gathering line must comply with the following requirements:

- (1) If a line is new, replaced, relocated, or otherwise changed, the design, installation, construction, initial inspection, and initial testing must be in accordance with requirements of this part applicable to transmission lines;
- (2) If the *pipeline* is metallic, control corrosion according to requirements of subpart I of this part applicable to transmission lines;
- (3) If the pipeline contains plastic pipe or components, the operator must comply with all applicable requirements of this part for plastic pipe components;
- (4) Carry out a damage prevention program under §192.614;

Current Rulemakings in Process

Safety of On-Shore Hazardous Liquid Pipelines (Final Rule stage)

- ❑ NPRM published 10/13/2015
- ❑ LPAC meeting 2/1/2016
- ❑ Major topics under consideration:
 - Assessments beyond High Consequence Areas (HCAs)
 - Leak detection beyond HCAs
 - Repair criteria in HCA and non-HCA areas
 - Piggability of lines in HCA's
 - Reporting requirements for Gathering lines
 - Reporting requirement for Gravity Lines

Current Rulemakings in Process

Emergency Order (Final Rule Stage)

- ❑ Interim Final Rule Published 10/14/2016
- ❑ Final Rule at OMB
- ❑ Establishes regulations implementing the emergency order authority as outlined in the “Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016” (PIPES Act).
- ❑ Provides PHMSA with an enforcement tool to address unsafe practices or conditions that pose an imminent hazard that exist in a subset of, or across the industry.

Current Rulemakings in Process

Underground Storage Facilities for Natural Gas (Final rule stage)

- ❑ Interim Final Rule (IFR) Published (12/19/2016)
- ❑ IFR requires operators of underground storage facilities for natural gas to comply with minimum safety standards, including compliance with:
 - API RP 1171, Functional Integrity of Natural Gas Storage in Depleted Hydrocarbon Reservoirs and Aquifer Reservoirs
 - API RP 1170, Design and Operation of Solution-mined Salt Caverns Used for Natural Gas Storage
 - Annual and Incident reporting requirements

Underground Storage Facilities for Natural Gas

(Final rule stage)

- ☐ PHMSA adopted the non-mandatory provisions of the RPs in a manner that would make them all mandatory, except that operators would be permitted to deviate from the RPs if they provide justification.
- ☐ Notice Published (6/20/17)
 - Stay of enforcement for non-mandatory provisions
 - Delay of UGS Annual Report (March 2018)
- ☐ Comment period re-opened until 11/20/17

Current Rulemakings in Process

Rupture Detection and Valve Rule (NPRM stage)

- ❑ Rulemaking is in response to Section 4 and 8 of the 2011 Act, NTSB Recommendations and studies performed by both PHMSA and GAO.
- ❑ Addresses the installation of ASV/RCV on newly constructed or entirely replaced natural gas and hazardous liquid transmission pipelines with the objective of improving overall incident response for new and replaced pipelines.
- ❑ Rule would establish and define rupture detection and response time metrics.

Current Rulemakings in Process

Standards Update (NPRM stage)

☐ Major Topics:

Addresses the set of IBR standards throughout PHMSA's part 192, and Part 195 code with updated revisions of standards from all standard organization bodies.

☐ This NPRM would impact approx. many of the 60+ standards that we currently IBR.

☐ Miscellaneous amendments to PSR

- Stakeholder petitions
- Agency initiative

Current Rulemakings in Process

USA Definition – Beaches and Coastal Waterways (ANPRM stage)

- ☐ Section 19 of 2016 PIPES Act requires PHMSA to expand definition of USA's to include Great Lakes, coastal beaches and marine coastal waterways.
- ☐ Subjecting pipelines in such areas to Integrity Management regulations in 49 CFR 195
- ☐ Public meeting held on November 17, 2017

Current Rulemakings in Process

Class Location Requirements (ANPRM stage)

- ☐ ANPRM examining issues for existing pipe when class locations change due to population increases near pipeline and MAOP is not commensurate w/new class location.
- ☐ Comment Period ended 10/1/2018

Current Rulemakings in Process

Class Location Requirements (ANPRM stage)

- ❑ Current requirements when class locations change:
 - Reduce operating pressure
 - Confirm new MAOP w/pressure test
 - Replace pipe w/thicker wall pipe
 - Note: Operators may also request special permits to operate segments at previous MAOP while performing certain measures to mitigate risk and ensure safety.

Current Rulemakings in Process

Gas Pipeline Regulatory Reform (2137-AF36) and Liquid Pipeline Regulatory Reform (2137-AF37) (NPRM stage)

- ❑ These rulemakings will propose amendments to the Pipeline Safety Regulations, specifically aimed at easing regulatory burdens on the construction and operation of gas transmission and gas distribution pipeline systems and hazardous liquid pipeline systems.
- ❑ These amendments will include regulatory relief actions identified by internal agency review, existing petitions for rulemaking, and public comments on the Department of Transportation regulatory reform and infrastructure notices.

Current Rulemakings in Process

Gas Pipeline Regulatory Reform (2137-AF36) and Liquid Pipeline Regulatory Reform (2137-AF37) (NPRM stage)

- ❑ These rulemakings will propose a number of miscellaneous deregulatory actions applicable to gas transmission and gathering pipelines and hazardous liquid pipelines.
- ❑ This rulemaking will implement the policy in Executive Order 13,777 to review existing regulations.

Current Rulemakings in Process

Safety of Gas Transmission and Gathering Lines

(Final Rule stage)

❑ NPRM published 4/8/2016

Comment period closed 7/7/2016

❑ Major Topics under consideration:

- Expansion of assessments beyond HCA's – MCA's
- Repair criteria for both HCA and non-HCA areas
- Assessment methods

Current Rulemakings in Process

Safety of Gas Transmission and Gathering Lines

(Final Rule stage)

❑ Major Topics under consideration (continued):

- Corrosion control
- Gas gathering; additional reporting and regulations
- Assessment methods for GT Lines
- MAOP Reconfirmation, Material Records for Grandfathered pipe and Bad Records–

❑ GPAC meetings held January, 2017; June, 2017, Dec 2017, March 2018. Additional meeting in January 2019 (Gas Gathering)

Current Rulemakings in Process

Safety of Gas Transmission and Gathering Lines

(Final Rule stage)

- GPAC has completed all of its work except for Gas Gathering (January 2019 meeting).
- Rule has been broken into three final rules
 - 1) MAOP Reconfirmation, Material verification, MCA assessments, records, Seismicity, MAOP Exceedance reporting, 6-month grace period for assessments
 - 2) Repair criteria (HCA and Non-HCA); Extreme weather; MOC; Corrosion control; IM Clarifications, Strengthening Assessment requirements
 - 3) Gas Gathering: Data, Definitions, regulating large diameter-high pressure lines

State Regulation Additions and Revisions

GPS Rule #13

Effective Date: January 1, 2020

☐ Definitions

- Abandoned Service Lines
- Existing or Probable Hazard Leak
- Inactive Service Lines
- Service Line

State Regulation Additions and Revisions

GPS Rule #13

- ☐ Disconnection Requirements for Existing or Probable Hazard
- ☐ Disconnection Requirements for Non-EFV (Not Potentially Hazardous)
- ☐ Disconnection Requirements for EFV (Not Potentially Hazardous)
 - Polyethylene - five years
 - New subdivisions
- ☐ Exemptions
 - Not applicable when customers pay a regular charge for availability
 - Service line stubs installed in subdivisions after June 1, 2018

State Regulation Additions and Revisions

GPS Rule #13

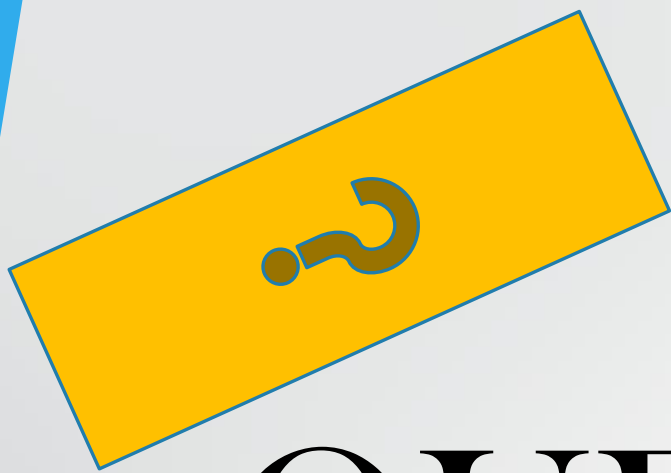
- ☐ Documentation
- ☐ Additional Requirements
 - Size, material and location
 - Marking
 - Leak surveys
- ☐ Inclusion in DIMP

State Regulation Additions and Revisions

GPS Rule #9

☐ Telephonic Reporting

- Definitions of Hazardous Liquid Accident and Natural Gas Incident
 - Over and above Federal requirements
 - \$10,000 in damages, up from \$5,000
 - Media coverage
 - Outage involving 75 or more customers
 - Significant event (left up to operator to determine)
 - One hour after confirmed discovery



QUESTIONS???

